

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

NIKOLLE NIKOLLAJ,

Plaintiff,

Case No. 02-73373

v.

HONORABLE DENISE PAGE HOOD

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

_____/

ORDER ACCEPTING REPORT AND RECOMMENDATION

I. INTRODUCTION

This matter is before the Court on Magistrate Judge Steven D. Pepe's Report and Recommendation dated June 30, 2008 [**Docket No. 42**], recommending that the District Court GRANT Plaintiff's Motion for Attorney Fees [**Docket No. 32, filed April 10, 2008**] in the total amount of \$10,827.50.

Plaintiff's motion is supported by an affidavit from Plaintiff's attorney, a brief, an itemized statement of time spent on this case, a copy of the Federal Court Fee Agreement signed by the Plaintiff and a Proposed Order. Defendant has indicated in his Response to Plaintiff's Motion [**Docket No. 34, filed April 25, 2008**] that there is no objection to the attorney fees requested by Plaintiff pursuant to 42 U.S.C. §406(b).

II. STANDARD OF REVIEW

The standard of review to be employed by the Court when examining a Report and Recommendation is set forth in 28 U.S.C. § 636. This Court "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1)(c). This Court "may accept, reject or modify, in whole or in part,

the findings or recommendations made by the magistrate.” Id.

III. CONCLUSION

The Court adopts the Magistrate Judge’s Report and Recommendation.

Accordingly,

IT IS ORDERED that Magistrate Judge Steven D. Pepe’s Report and Recommendation **[Docket No. 42, filed June 30, 2008]** is ACCEPTED and ADOPTED as this Court’s findings and conclusions of law.

IT IS FURTHER ORDERED that Plaintiff’s Motion for Attorney Fees **[Docket No. 32, filed April 10, 2008]** is GRANTED.

IT IS FURTHER ORDERED that Plaintiff’s counsel, Margaret A. O’Donnell be awarded attorney fees in the amount of \$10,827.50 from Plaintiff’s past due Social Security Disability benefits pursuant to 42 U.S.C. §406.

S/Denise Page Hood
Denise Page Hood
United States District Judge

Dated: September 16, 2008

I hereby certify that a copy of the foregoing document was served upon counsel of record on September 16, 2008, by electronic and/or ordinary mail.

S/William F. Lewis
Case Manager